

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RENE LUNA,

Plaintiff,

V.

OFFICER LOLLO; and OFFICER GOMEZ,

Defendants.

Case No. 1:21-cv-01291-AWI-BAM

**ORDER TO SUBMIT APPLICATION
TO PROCEED *IN FORMA PAUPERIS*
OR PAY FILING FEE WITHIN THIRTY DAYS**

ORDER DIRECTING CLERK TO AMEND
CAPTION

THIRTY (30) DAY DEADLINE

Plaintiff Rene Luna, proceeding *pro se*, filed the instant action, along with additional Plaintiffs on August 25, 2021. (Doc. 1.) Plaintiff has not paid the \$400.00 filing fee or submitted an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

Further, on November 16, 2021, the Court issued an Order Adopting Findings and Recommendations regarding dismissal of certain claims and parties as duplicative. (Doc. 9.) Pursuant to the Order adopting, all Plaintiffs except Rene Luna and all Defendants except Officers Loll and Gomez were dismissed. (*Id.* at 2.)

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to Plaintiff a form for application to proceed in forma pauperis;

2. Within thirty (30) days of the date of service of this order, Plaintiff shall submit the completed and signed application to proceed in forma pauperis, or in the alternative, pay the \$400.00 filing fee for this action; and

3. The Clerk of the Court is directed to amend the caption and docket in this matter to reflect that this action proceeds with Plaintiff Rene Luna and against Defendants Officer Loll and Officer Gomez; and

4. **Failure to comply with this order will result in a recommendation for dismissal of this action.**

IT IS SO ORDERED.

Dated: December 7, 2021

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE